

By

Millsap

H B. No. 1135

A BILL TO BE ENTITLED

AN ACT

relating to certain requirements for licensure as a fitter or dispenser of hearing aids.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. (a) Effective September 1, 1987, Section 6(b), Chapter 366, Acts of the 61st Legislature, Regular Session, 1969 (Article 4566-1.06, Vernon's Texas Civil Statutes), is amended to read as follows:

(b) The applicant shall make application, furnishing to the Secretary-Treasurer of the Board on forms to be furnished by the Board:

(1) [7] sworn evidence that he has attained the age of majority;

(2) sworn evidence that he has completed and received an associate degree from, or completed the equivalent course work at, an accredited institution of higher education; [and-has-graduated from-an-accredited-high-school-or-equivalent,] and

(3) such other information as the Board may deem necessary for the enforcement of this Act.

(b) Effective September 1, 1989, Section 6(b), Chapter 366, Acts of the 61st Legislature, Regular Session, 1969 (Article 4566-1.06, Vernon's Texas Civil Statutes), is amended to read as follows:

(b) The applicant shall make application, furnishing to the

1 Secretary-Treasurer of the Board on forms to be furnished by the  
2 Board:

3 (1) [7] sworn evidence that he has attained the age of  
4 majority;

5 (2) sworn evidence that he has completed and received a  
6 bachelor's degree in audiology, or a bachelor's degree with  
7 audiology as a minor academic subject, from an accredited  
8 institution of higher education; [~~and--has--graduated--from--an~~  
9 accredited-high-school-or-equivalent,] and

10 (3) such other information as the Board may deem necessary  
11 for the enforcement of this Act.

12 (c) Effective September 1, 1991, Section 6(b), Chapter 366,  
13 Acts of the 61st Legislature, Regular Session, 1969 (Article  
14 4566-1.06, Vernon's Texas Civil Statutes), is amended to read as  
15 follows:

16 (b) The applicant shall make application, furnishing to the  
17 Secretary-Treasurer of the Board on forms to be furnished by the  
18 Board:

19 (1) [7] sworn evidence that he has attained the age of  
20 majority;

21 (2) sworn evidence that he has completed and received a  
22 master's degree in audiology from an accredited institution of  
23 higher education; [~~and-has-graduated-from-an-accredited-high-school~~  
24 or-equivalent,] and

25 (3) such other information as the Board may deem necessary  
26 for the enforcement of this Act.

27 (d) Each change made by this section applies only to

1 applications filed with the Texas Board of Examiners in the Fitting  
2 and Dispensing of Hearing Aids while that provision is in effect.  
3 The law in effect before the change made by Subsection (a) of this  
4 section applies to applications filed before the effective date of  
5 Subsection (a) and remains in effect for that purpose.

6 SECTION 2. Section 19, Chapter 366, Acts of the 61st  
7 Legislature, Regular Session, 1969 (Article 4566-1.19, Vernon's  
8 Texas Civil Statutes), is amended to read as follows:

9 Sec. 19. EXCEPTIONS. (a) This Act does not apply to  
10 physicians and surgeons who are licensed by the Texas State Board  
11 of Medical Examiners and who are qualified and trained in the  
12 measurement of human hearing.

13 (b) An audiologist licensed under Chapter 381, Acts of the  
14 68th Legislature, Regular Session, 1983 (Article 4512j, Vernon's  
15 Texas Civil Statutes), may select and adapt hearing aids without  
16 obtaining a license under this Act if that person does not sell  
17 hearing aids. [~~Nothing in this Act shall be construed to apply to~~  
18 ~~the following:~~

19 [~~(1) Persons engaged in the practice of measuring human~~  
20 ~~hearing as a part of the academic curriculum of an accredited~~  
21 ~~institution of higher learning, provided such persons or their~~  
22 ~~employees do not sell hearing aids.~~

23 [~~(2) Physicians and surgeons duly licensed by the Texas~~  
24 ~~State Board of Medical Examiners and qualified to practice in the~~  
25 ~~State of Texas.~~

26 [~~(3) An individual with a master's or doctorate degree in~~  
27 ~~audiology from an accredited college or university may engage in~~

1 the-measurement-of-human-hearing-by-the-use-of-an-audiometer-or--by  
2 any--means--for-the-purpose-of-making-selections-and-adaptations-of  
3 or-recommendations-for-a-hearing-aid-and-the-making-of--impressions  
4 for--earmolds--to--be--used-as-part-of-a-hearing-aid,-provided-such  
5 persons-do-not-sell-hearing-aids- ]

6 SECTION 3. (a) This section applies to a person who, on the  
7 effective date of this Act:

8 (1) is engaged in the practice of measuring human hearing as  
9 part of the academic curriculum of an accredited institution of  
10 higher education;

11 (2) possesses an earned postbaccalaureate degree in  
12 audiology from an accredited institution of higher education; or

13 (3) is licensed under any other Act that requires a test for  
14 licensure equal to that provided under Section 6, Chapter 366, Acts  
15 of the 61st Legislature, Regular Session, 1969 (Article 4566-1.06,  
16 Vernon's Texas Civil Statutes).

17 (b) A person covered by this section is eligible to obtain a  
18 license under Section 6, Chapter 366, Acts of the 61st Legislature,  
19 Regular Session, 1969 (Article 4566-1.06, Vernon's Texas Civil  
20 Statutes), without taking the examination required by that Act, if  
21 the person fulfills all other requirements for obtaining a license  
22 under that Act.

23 (c) An application for a license under this section must be  
24 made before March 1, 1989. This section expires March 1, 1989,  
25 except that it continues in effect for the disposition of any  
26 license application made under this section before that date.

27 SECTION 4. A person who on August 31, 1987, holds a valid

1 license to fit and dispense hearing aids under Chapter 366, Acts of  
2 the 61st Legislature, Regular Session, 1969 (Article 4566-1.01 et  
3 seq., Vernon's Texas Civil Statutes), is not required to satisfy  
4 the examination application requirements as changed by this Act in  
5 order to renew the license under that law.

6 SECTION 5. This Act takes effect September 1, 1987.

7 SECTION 6. The importance of this legislation and the  
8 crowded condition of the calendars in both houses create an  
9 emergency and an imperative public necessity that the  
10 constitutional rule requiring bills to be read on three several  
11 days in each house be suspended, and this rule is hereby suspended.

H. B. No.

1135

By

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relating to certain requirements for licensure as a fitter or dispenser of hearing aids.

MAR 3 1987

1. Filed with the Chief Clerk.

MAR 11 1987

2. Read first time and Referred to Committee on

Public Health

3. Reported \_\_\_\_\_ favorably (as amended) and sent to Printer at \_\_\_\_\_  
(as substituted)

4. Printed and distributed at \_\_\_\_\_

5. Sent to Committee on Calendars at \_\_\_\_\_

6. Read second time (amended); passed to third reading (failed) by (Non-Record Vote)  
(Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_  
present, not voting).

7. Motion to reconsider and table the vote by which H.B. \_\_\_\_\_ was ordered  
engrossed prevailed (failed) by a (Non-Record Vote) (Record Vote of \_\_\_\_\_ yeas,  
\_\_\_\_\_ nays, and \_\_\_\_\_ present, not voting).

8. Constitutional Rule requiring bills to be read on three several days suspended (failed  
to suspend) by a four-fifths vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, and \_\_\_\_\_  
present, not voting).

9. Read third time (amended); finally passed (failed) by (Non-Record Vote) (Record Vote  
of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present, not voting).

10. Caption ordered amended to conform to body of bill.

11. Motion to reconsider and table the vote by which H. B. \_\_\_\_\_ was finally passed  
prevailed (failed) by a (Non-Record Vote) (Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_  
nays, and \_\_\_\_\_ present, not voting).

12. Ordered Engrossed at \_\_\_\_\_

13. Engrossed.

14. Returned to Chief Clerk at \_\_\_\_\_

15. Sent to Senate.

Chief Clerk of the House

16. Received from the House

17. Read, referred to Committee on \_\_\_\_\_

18. Reported favorably

19. Reported adversely, with favorable Committee Substitute; Committee Substitute read  
first time.

20. Ordered not printed.

21. Regular order of business suspended by  
(a viva voce vote.)  
(\_\_\_\_\_ yeas, \_\_\_\_\_ nays.)

\_\_\_\_\_ 22. To permit consideration, reading and passage, Senate and Constitutional Rules  
suspended by vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays.

\_\_\_\_\_ 23. Read second time \_\_\_\_\_ passed to third reading by:  
(a viva voce vote.)  
( \_\_\_\_\_ yeas, \_\_\_\_\_ nays.)

\_\_\_\_\_ 24. Caption ordered amended to conform to body of bill.

\_\_\_\_\_ 25. Senate and Constitutional 3-Day Rules suspended by vote of \_\_\_\_\_ yeas,  
\_\_\_\_\_ nays to place bill on third reading and final passage.

\_\_\_\_\_ 26. Read third time and passed by  
(a viva voce vote.)  
( \_\_\_\_\_ yeas, \_\_\_\_\_ nays.)

OTHER ACTION: OTHER ACTION:

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_ 27. Returned to the House.

\_\_\_\_\_ 28. Received from the Senate (with amendments.)  
(as substituted.)

\_\_\_\_\_ 29. House (Concurred) (Refused to Concur) in Senate (Amendments)  
(Substitute) by a (Non-Record  
Vote) (Record Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, \_\_\_\_\_ present,  
not voting).

\_\_\_\_\_ 30. Conference Committee Ordered.

\_\_\_\_\_ 31. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record  
Vote of \_\_\_\_\_ yeas, \_\_\_\_\_ nays, and \_\_\_\_\_ present, not voting).

\_\_\_\_\_ 32. Ordered Enrolled at \_\_\_\_\_